

AMENDED  
TEMPORARY

Serial No. 76088 T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUL 23 2007  
Returned to applicant for correction JUL 27 2007  
Corrected application filed AUG 20 2007 Map filed FEB. 18, 1957 under 15995

The applicant Ken Garey Family Trust 10-30-96  
P.O. Box 6 of Amargosa Valley  
Street and No. or P.O. Box No. City or Town  
Nevada 89020, hereby make<sup>S</sup> application for permission to change the  
State and Zip Code No. Point of Diversion, Place of Use, and Manner of Use of a Portion  
of water heretofore appropriated under Permit 29521, Certificate 9265  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  
and identify right in Decree.

- The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed Five (5) Acre-Feet  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Commercial (Dust Control for Road Construction)  
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.
- The water heretofore used for Irrigation and Domestic  
If for stock state number and kind of animals.
- The water is to be diverted at the following point NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, T.16S, R.48E., M.D.B.&M., or  
Describe as being within a 40-acre subdivision of public survey and by course  
at a point from which the NE corner of said Section 3 bears N.45°E., a distance  
and distance to a section corner. If on unsurveyed land, it should be stated.  
of 100 feet.
- The existing point of diversion is located within SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, T16S, R49E., MDB&M, or at a point  
If point of diversion is not changed, do not answer.  
from which the S $\frac{1}{4}$  corner of Sec. 9, T16S, R49E, MDB&M bears S.10°02'24"E a distance  
of 1010.80 feet.

MDL  
21 Aug 2007

7. Proposed place of use NE $\frac{1}{4}$  and S $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 3, T. 16S, R. 48E MDB&M approximately 240ac.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 9, T. 16S, R. 49E., MDB&M; 1.0 acre  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
is to be removed from irrigation (see map).

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water to be pumped from existing well (log 5476)  
State manner in which water is to be diverted, i.e. diversion structure, ditches, using a 6" discharge into water trucks and applied to the ground per NDEP dust control permit, during construction phase.  
pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 12" well completed (see above) and pump set by  
If well completed, describe well.  
Thompson Drilling. Approximately one week to complete works.

14. Estimated time required to complete the application of water to beneficial use One Year.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

One or more water trucks will use water from this well for dust control to adjoining properties. A permanent change application will follow for a different commercial use as an RV park is contemplated for the area adjacent to the well along with landscaping. Total acre-feet eventually planned to move here will include other water rights as well as this right.

By

Agent

Signature, applicant or agent

P.O. Box 96

Street and No., or P.O. Box No.

Amargosa Valley, NV 89020

City, State, Zip Code No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

\$100 FILING FEE MUST ACCOMPANY APPLICATION